

**Human Rights Commission
January 28, 2004 Meeting Minutes**

Members Present: Lawrence Morganfield III, Dee Campbell-Carter, David Finke, Val Snell-Smith, Mike Blum

Members Excused: Preston Bass, Kylar Broadus

Staff Present: Phil Steinhaus, Nanette Ward, Fred Boeckmann

- I. Call to Order/Introductions: Campbell-Carter called the meeting to order.
- II. Approval of the Agenda: A motion was made by Finke to approve the agenda as written. Motion was seconded by Blum and passed by a unanimous vote.
- III. Approval of 11/19/03 Meeting Minutes: Blum made a motion to approve the minutes as presented. Second by Morganfield. The motion was approved by a unanimous vote.
- IV. Old Business:
 - A. Community Study Circle Report: Ward handed out a written report which is incorporated into these minutes as follows:

Proposed Community Study Circles Program for 2004-2005:

“Community Circles” : In response to participants, once-a-month opportunities for on-going, face-to-face interaction, dialogue, learning, and connecting. Open to past participants, those interested in study circles, and general public. Volunteer facilitators will be utilized. Generally, to be held at the public library, on a week night, for 2-4 hours.

“Facilitator Circles”: In response to facilitators, quarterly opportunities for volunteer facilitators to have face-to-face interaction, dialogue, learning, idea-sharing and connecting around issues related to unique challenges of facilitator role. Generally, to be held at the public library immediately prior to a Community Circle, for 1-2 hours.

“LET’S TALK, COLUMBIA!” Community Study Circles Event: Once a year only, no longer both a spring and fall round. Dates for 2004 are Saturday & Sunday, May 1 & 2, at Unity Center of Columbia. Idea for 2005 is to have the event in February or March, using January (possibly February) to promote and get people registered as part of Dr. Martin Luther King, Jr. Day events. Efforts will continue to include young people in the community circles. (Please note: “LET’S TALK, COLUMBIA!”...Dialogues on Diversity... has changed to simply “LET’S TALK, COLUMBIA!” 2004.)

Hickman High School: Student study circles, facilitated by peers. Continue work that is in progress so that more of the student body and faculty can participate in the study circle experience and in being trained as peer facilitators. Two student study circles were conducted last fall. Participant response was very positive and

resulted in their desire to help with some sort of study circle event to take place before end of the school year.

“Target” Study Circles”: Individual study circles conducted in response to a particular formal or informal group’s interest, whether a business, neighborhood or resident group, church, social service agency or any other body of at least 5-10 individuals. Volunteer facilitators would be utilized. (FYI, State Farm is finally about to implement its study circle program with employees.)

“Mini Study Circles” may also be conducted for business and community leaders.

Facilitator Training: Continue to conduct facilitator training in respond to desire and commitment by participants to be trained for that role. Continue to develop a more diverse and more expansive pool of active facilitators that can respond to community interest.

Action Team Development: Action Team names presented for approval by the commission:

Greg Allen	Almeta Crayton	Darryl Douglas	David Elliot
Mark Farnen	Yossi Feintuch	Janet Ford	Mary Ann Groves
Elizabeth Kerry	Mark Milanick	George Parker	Sarah Read
Patti Roberts			

Finke moved to approve the persons recommended by Ward for the Community Study Circles Action Team. Motion seconded by Blum and passed by a unanimous vote.

Ward also shared that Mayor Hindman invited the Study Circle participants from the study circles that he participated in to an award convocation at Stephens College where he was receiving an award on the Dr. Martin Luther King, Jr. holiday.

Steinhaus shared an excerpt from a recent column in the *Columbia Daily Tribune* written by Tony Messenger. At the end of the article he referred to his experience participating in a study circle two years ago. He encouraged all Columbians talk about race and diversity issues in order to share their individual perspectives on these issues. Steinhaus felt that this article was important because it showed that even after two years his experience participating in a study circle is still having an impact two years later.

Ward passed around videos of “Not in Our Town,” “The Myth of Race” and “Brown Eyes/Blue Eyes”. The videos are being used in conjunction with the monthly “Community Circles” that are being held as follow-up discussions with past and potential study circle participants.

Blum asked about the progress of the Rock Bridge High School Study Circle program. Ward said that Linda Hughes is still working on putting the program together. Ward said that she is also exploring the possibility of conducting a similar program at Douglass High School.

- B. Impediments to Fair Housing Choice Committee: Finke reported on the committee’s progress in developing the report for the city’s five-year consolidated plan. The first part

of the report has been developed and two new subcommittees have been formed to work on affordable housing locations and fair housing education.

Steinhaus reported that the committee is making good progress and that the full report will be submitted to the Human Rights Commission in the future for the commission's comment and approval. The report will then be sent to the Community Development Commission and then on to the City Council as part of the approval process. Finke added that the committee is raising some good questions about fair housing.

- C. Discussion of the Patriot Acts I and II: Finke referred to the motion passed at the last commission meeting. He also referred to the additional information that was sent to the commission in their agenda packets which included information on and copies of state and local resolutions adopted regarding the PATRIOT Act as well as an information booklet produced by the American Civil Liberties Union (ACLU).

Finke stated that he is in no hurry to push forward in addressing this issue and that he would like to move methodically forward in order to reach a "meeting of the minds" and develop a consensus on the commission. Finke said he feels the issue is important as he is privileged to know many people who might greatly suffer because of these legislative acts. He feels it is an important human rights issue that affects the fair treatment of all citizens and should be addressed in order to stop discrimination even though it is not directly related to discrimination in housing, public accommodation or employment.

Blum referred to sample resolutions from various states and local governments. He specifically referred to resolutions adopted by municipal governments in Austin, TX; Bloomington, IN; and Boulder, CO. He said that Boulder, CO is unique in addressing the issue as human rights protections rather than condemning the PATRIOT Act directly. Blum referred to past persecutions of minorities in history and people who stood up in opposition, even if the position was not the majority opinion.

Campbell-Carter agreed with Blum and Finke. She would like to move forward within the framework and structure of the Human Rights Commission's authority as established by the City Council.

Finke said it is important to hear from citizens and those directly affected including groups most likely to be profiled by this act. He said that there is great fear among these people in our community. He feels public hearings are an important way to gather information as neutral fact-finders. After gathering information we would then consider what recommendations to make to the City Council.

Campbell-Carter asked Boeckmann his opinion.

Boeckmann said he thought it was a stretch to consider the issue within the purview of the Human Rights Commission. He recommended that if the commission goes forward on the issue that the commission should keep the City Council informed in the process.

Steinhaus related information about past actions by the Substance Abuse Advisory Commission where the commission went as far as holding a public hearing on a proposed ordinance that would regulate drink specials. The commission then submitted their recommendations to the City Council. The City Council indicated that they felt the

commission exceeded their authority without gaining the City Council's permission first. The City Council reiterated that the Substance Abuse Advisory Commission was an advisory body to the City Council and that the commission should have communicated better with the City Council prior to holding a public hearing or proposing ordinances. The City Council stated that the commission should have reported to the City Council that this was an issue that they would like to address and seek the Council's approval and direction before proceeding with any work on the issue. The City Council also stated that it was the Council's responsibility to decide when any ordinance changes should be developed and brought forward for their consideration.

Steinhaus said that on a subsequent issue that dealt with changes to the city's liquor licensing ordinance, the Substance Abuse Advisory Commission approached the City Council on the issue after it was first brought up at one of their meetings. The City Council took the matter under advisement and referred the issue to a staff committee to review and come back to them with a recommendation on any changes to the ordinance. The City Council expressed their appreciation to the commission for bringing the issue to their attention and for following the proper procedure in advising the City Council of their concerns on this issue.

Blum suggested that one possible approach would be to suggest to the City Council that either the City Council or the commission could hold a public hearing on the issue.

Finke asked if the City Council could or would hold a public hearing without a specific ordinance? Boeckmann responded, "yes".

Blum asked about the format for the hearing and whether it should be included as a part of a regular commission meeting or as a special meeting. Steinhaus said that it would probably be best to hold a special meeting on the topic.

Finke asked if the commission was interested in pursuing holding a public hearing on the topic. Campbell-Carter said, "yes". Morganfield said, "yes," and added that he felt that many people are not informed about the ramifications of the law. He expressed concern about the law as he feels absolute power corrupts absolutely. He said he thinks the issue is important and that the commission needs to educate people about the acts.

Snell-Smith said she thought the commission needs to educate people about the issue first and then take public comments. Campbell-Carter said since the commission is in agreement on the issue, the commission should discuss how best to approach the City Council about holding a public hearing. She suggested that perhaps commissioners should approach City Council members individually. She also suggested that commissioners research how other cities approached the issue.

Finke said that he welcomes the City Council as participants in the process rather than creating adversaries during the process. He felt that citizens could also offer public comment during regular commission meetings.

Blum suggested that the commission hold a public hearing and invite public comment on the issue in the near future, perhaps within the next two months.

Morganfield made a motion for a subcommittee to work on a plan of engagement to for the commission to discuss at the next regular commission meeting. Motion seconded by

Finke. After some discussion it was decided that Finke would move the process forward and work with Blum on the subcommittee. The motion passed by a unanimous vote.

Finke asked if we should talk to others about how to move forward or work through details first. The commission felt that the commission should work through the details first before including others in the process.

Steinhaus reminded the commission that sub-committees must post meeting notices and that there are some questions about the use of e-mail in making subcommittee decisions. Boeckmann said that the e-mail issue has been raised elsewhere. He said it is acceptable to share information by e-mail, but if messages back and forth constitute a meeting or semblance of a meeting, the meeting should be posted and these discussions made in person at the meeting.

V. New Business:

- A. Video on Transgender Issues: This item was tabled until the next meeting.
- B. Jefferson City Human Relations Commission: Steinhaus reported that the Jefferson City Human Relations Commission was recently formed and has contacted him about possibly meeting with the Columbia Human Rights Commission in the future for advice and guidance. The contact person for their commission is Alan Mudd.
- C. Investigative Procedures – Discussion Regarding Failure to Contact: Steinhaus shared that the commission investigators feel that there is a need to develop a specific policy in setting deadlines for complainants and respondents to respond to requests for information during the investigative process. He said that there are several cases where the investigators have spent considerable time trying to get responses for their requests for information which causes some cases to drag out over a long period of time. He shared that this is more of a problem for complainants than respondents. He added that there should be different methods for handling this issue with complainants and respondents.

Blum recommended three phone calls and a follow-up letter giving a specific deadline for a response. Ward said that if investigators do this every time they have a request for information that the process can repeat itself and that this can lead to a very lengthy investigative process.

Finke suggested that investigators share their expectations for timely responses with complainants during the complaint intake process. He also suggested setting specific time limits for responses. Morganfield suggested having complainants sign a form saying that they understand their obligation to respond. Steinhaus said that we do have a check list for both complainants and respondents to sign during the initial intake and notification process. Morganfield made a motion for staff to generate a specific protocol for complainants and respondents to sign indicating their responsibility to follow through on their responsibility to contact investigators. Finke seconded the motion and the motion passed by a unanimous vote.

- D. Commission Vacancies: Steinhaus said that both Bass' and Broadus' terms are expiring at the end of February. He indicated that applications are due to the City Clerk by Friday, February 6, 2004 at 12:00 Noon.

VI. Staff Reports

- A. Community Services: Steinhaus referred to two news articles in commission folders. The first was a *Missourian* article on the Human Rights Commission. The article was discussed. Commissioners felt that it was a good article and expressed their appreciation to Ward for her work with the reporter to get the facts stated accurately. It was noted that the article could have covered the mediation process better. The second article referred to an on-going community discussion of race relations as they related to the Ricky Clemmons jail house tapes. Steinhaus felt it was an important as it highlighted that racial issues are still a serious topic of discussion in our community.

Steinhaus reported that Bass made the presentation of the FY2004 Human Rights Enhancement Program funding recommendations to the City Council in December and that the Council had accepted the recommendations as presented.

Finally, Steinhaus reported that the 2004 Columbia Values Diversity Celebration went well this year and that there was good attendance and support from our community.

- B. Law Department: No report.

- C. Investigator/Community Educator: No report.

- VII. Closed Session to Discuss Pending Cases: Finke made a motion to go into closed session to discuss pending cases of discrimination. The motion was seconded by Morganfield. A roll call vote was taken. Blum-Yes, Morganfield-Yes, Campbell-Carter-Yes, Finke-Yes, Snell-Smith-Yes.
- VIII. Finke moved to go out of closed session. The motion was seconded by Morganfield. A roll call vote was taken. Blum-Yes, Morganfield-Yes, Campbell-Carter-Yes, Finke-Yes, Snell-Smith-Yes.
- IX. Public Comment: None.
- X. Commissioner Comment: Snell-Smith thanked the group for allowing her to come late to the meeting. Finke noted that Campbell-Carter's son is free of legal trouble. Blum shared that Laura Jarrett's mother had died recently.
- XI. Adjournment: The meeting was adjourned.

Respectfully Submitted,

Phil Steinhaus, Manager
Office of Community Services